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SMALL BUSINESS AND  
ENTREPRENEURSHIP

ORIGINAL

United States Senate

WASHINGTON, DC 20510

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October 7, 2003

FILED IN SECRETARY  
FEDERAL MARITIME COMM

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Mr. Bryant Van Brakle  
Secretary  
Federal Maritime Commission  
800 North Capitol Street NW  
Washington, D.C. 20573

Dear Commissioners:

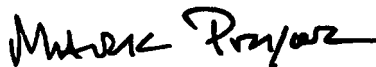
I write to express my support for a petition filed by the United Parcel Service (UPS) for an exemption from the prohibition on Non-Vessel Operating Common Carriers (NVOCC's) entering into confidential contracts with their customers.

Due to unanticipated changes in the ocean shipping marketplace, namely the notable consolidation of the ocean shipping industry, I am concerned that current regulations as revised in the 1998 Ocean Shipping Reform Act (OSRA) allow vessel operators to undercut the standard published rates offered by UPS and other Non-Vessel Operators. An equitable solution that regulates NVOCC's as well as vessel operators based on the realities of the present-day industry would benefit shippers, carriers, and their customers alike.

The recent evolution of the ocean shipping marketplace is precisely the reason your commission was given the authority in OSRA to grant exemptions to benefit the marketplace. In granting the change requested by UPS, you will acknowledge the changes taking place in the ocean shipping industry and level the playing field between NVOCC's and vessel operators.

I appreciate the opportunity to comment on this matter. I am hopeful you will give UPS's petition all due consideration and will render a decision based on the merits of the case.

Sincerely,



Mark Pryor

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# Mark Pryor

## U.S. Senator for Arkansas

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### Telecopy Cover Sheet

Date: 9/7

To: FEDERAL MARITIME COMMISSION

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From: ANDY YORK

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Phone: 224-2353

Message: \_\_\_\_\_

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